

REMARKS

Applicant has previously noted the Examiner's withdrawal of all previously cited prior art and indication that the claimed subject matter is not rejected on grounds of prior art. Therefore Applicant is surprised to now find that new prior art is being asserted, when these could have been cited before. The Examiner is respectfully reminded of a duty to avoid delay through piecemeal prosecution. MPEP § 707, for example, makes it plain that Office Actions must be complete.

There have been no less than four Requests to Continue Examination filed in this application, and there have been at least an equal number of "case dispositions" to the Examiner's credit. The inventor is now over 80 years old and Applicant respectfully requests that the Examiner facilitate allowance and avoid delay. Applicant is as always willing to confer with the Examiner through a telephone interview to facilitate allowance, and has made this offer before, in its responses to Office Actions in an effort to facilitate the prosecution process.

Applicant has made a good faith attempt to address each of the objections and rejections, and urges the Examiner to telephone the undersigned to facilitate allowance of the application.

Rejections based on 35 USC 112

Claims 59 has been amended in its last paragraph to read as follows:

a plurality of orifices arrayed along the at least one curved strut, each orifice directed away from the throat of the nozzle toward the ~~nozzle~~ exit end ~~nozzle portion~~ and each orifice injecting iodine toward the nozzle exit end ~~portion~~.

Thus, the orifices are directed toward the nozzle exit end. The “nozzle exit end” is introduced in part (c) of Claim 59. Accordingly, it has antecedent basis in the Claim, and a nozzle exit end is a well-defined structure.

Rejections based on 35 USC§ 102

Claims 70-73 and 79 are rejected as anticipated by Dobrzelecki. Applicant respectfully points out that the claims as previously presented each recite a curved strut, which is NOT shown in Dobrzelecki, notwithstanding the Examiner’s contention. The structures indicated in Dobrzelecki as items 41, 42 and 43 that the Examiner specifies are clearly not curved but are described and shown in drawing figures as linear, tubular struts.

Applicant has amended Claims 70 and 79, respectively, to add the following features regarding the throat:

an inlet portion, an outlet portion, and a throat, the throat located downstream from the inlet portion and defined by convergence of a pair of opposed curved walls, from an inlet to a pair of opposite sharp corners, at a point of closest convergence of the opposed curved walls,

the throat located downstream from the inlet portion and defined by a pair of opposed curved walls, said walls converging from an inlet to a pair of opposite sharp corners at a point of closest convergence of the opposed curved walls,

These features are not shown in Dobrzelecki either. The Examiner has also referenced, but not asserted Cavalleri. The throat features added by amendment, among many others, are not disclosed in Cavaleri.

Claim rejections based on 35 USC § 103

The Examiner has rejected Claims 74-76 and 78 as “obvious” due to Dobrzelecki. However, each of these claims depends from Claim 70, which is not obvious in view of Dobrzelecki. Dobrzelecki lacks curved struts and also lacks any teaching or suggestion of the throat features added by the present amendment:

an inlet portion, an outlet portion, and a throat, the throat located downstream from the inlet portion and defined by convergence of a pair of opposed curved walls, from an inlet to a pair of opposite sharp corners, at a point of closest convergence of the opposed curved walls

Thus, Dobrzelecki cannot render Claim 70 or any of its dependent claims obvious.

CONCLUSION

In view of the foregoing amendments, Applicant respectfully urges entry of the Amendments and issuance of a Notice of Allowance as to all claims. Should the Examiner find any informality, he is respectfully asked to telephone the undersigned to obtain authorization for any necessary changes.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper, to Deposit Account 50-2180 of Storm LLP.

Respectfully submitted,

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